

45C01-2007-CT-000764

Lake Circuit Court

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Clerk
Lake County, Indiana

STATE OF INDIANA)	IN THE LAKE SUPERIOR/CIRCUIT COURT
) ss:	
COUNTY OF LAKE)	_____, INDIANA
PENNY DIEHL)	
)	
Plaintiff,)	
vs.)	CAUSE NO:
)	
MENARD, INC.)	
)	
Defendant)	

COMPLAINT

Comes now the Plaintiff, through counsel David Cerven, and for her complaint and demand for trial by jury against the Defendant states as follows:

1. On August 19, 2018, the Defendant owned the property and improvements located at 6300 Mississippi Street, Merrillville, Indiana and operated a home improvement store there.
2. On August 19, 2018, the Plaintiff was an invitee of the Defendant's home improvement store at 6300 Mississippi Street Store, Merrillville, Indiana.
3. While in the Defendant's store, the Plaintiff tripped and fell and sustained injuries because of the Defendant's negligence.
4. The Defendant was negligent for, among other reasons, having a pallet jack at the end of an aisle and allowing forks of its pallet jack to stick out causing a tripping hazard to unsuspecting invitees such as the Plaintiff, failing to warn the Plaintiff of the tripping hazard presented by the pallet jack, failing to maintain its premises in a reasonably safe condition, creating a tripping hazard for unsuspecting invitees including the Plaintiff, failing to have proper safety rules and failing to enforce its rules, failing to inspect its

premises to keep them safe, failing to properly train and supervise its employees and otherwise being negligent causing the Plaintiff to fall and suffer injuries.

5. As a result of the Defendant's negligence, the Plaintiff fell and injured, among other things, her knees and shoulder all of which necessitated medical treatment and care.
6. As a further result of the Defendant's negligence, the Plaintiff sustained personal injuries which are permanent in nature; required medical treatment and will in the future; has incurred medical bills and expenses for treatment, and will in the future; needed surgery; has endured physical and emotional pain and suffering and will in the future; has lost time and will in the future; has needed medications and will in the future and has sustained other compensable damages under Indiana law.

WHEREFORE, Plaintiff prays for damages as are reasonable in the premises, costs and for all other just and proper relief.

Respectfully submitted,

/s/ David Cerven

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JURY DEMAND

COMES now the Plaintiff through counsel, David Cerven, and demands trial by jury.

Respectfully submitted,

/s/ David Cerven

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